

EXHIBIT E



"Timothy J. Hogan"
<tjh@loio.com>
02/13/2006 10:52 AM

To "Brenda Sakamoto" <bls@ksglaw.com>, "Damian Capozzola
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<lrs@ksglaw.com>, "Lex Smith \\(E-mail)" <lex@gte.net>,
"Lyle Hosoda \\(E-mail)" <lshosoda@hotmail.com>, "Lyle
Hosoda \\(E-mail)" <lsh@hosodalaw.com>, "Michael
Baumann" <mbaumann@kirkland.com>, "Raina Mead"
<rpbm@hosodalaw.com>

cc

bcc

Subject Sanctions

Dear Mr. Baumann:

Please see excerpt from Court order dated 1/24/06.

"Any defense expert may amend or supplement his report in light of any
amended report by Mr. Ueno."

Please advise me why your claim to be able to supplement Kindrich's
report is not in direct violation of this court order.

I will expect an answer from you and not your second or third chair by
close of business today. If you proceed I will seek sanctions including
revocation of your pro hac vice for your blatant violation of court
orders.

Tim Hogan

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